



Application No. 09/769,902
Filing Date January 25, 2001
Inventor(s) Goodman, et al
Group Art Unit 1636
Examiner Name S. Pappu
Attorney Docket No. 61545
/JPW/PJP/PL

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

August 22, 2003

Mail Stop RCE
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

REQUEST FOR CONTINUED EXAMINATION (RCE) TRANSMITTAL

Sir:

This is a Request for Continued Examination under 37 C.F.R. § 1.114 of the above-identified application.

1. _____ Consider the unentered amendment/reply under 37 C.F.R. § 1.116 previously filed on _____.
2. _____ Consider the arguments in the Appeal Brief or Reply Brief previously filed on _____.
3. X Enclosed is/are
- X Amendment/Reply.
- _____ Affidavit(s)/Declaration(s).
- _____ Information Disclosure Statement (IDS).
- _____ PTO-1449
- _____ Copy of IDS Citation
- X Other: Petition For A Three-Month Extension Of Time.
4. X Small entity status under 37 C.F.R. § 1.27 is claimed.
- _____ A verified statement to establish small entity status is enclosed.
- X A verified statement to establish small entity status was previously filed and such status is still proper and desired.
5. X A check in the amount of \$972.00 is enclosed. (\$375.00 for filing RCE, \$465.00 for a Three-Month Extension Of Time, and \$132.00 for additional claims)

6. _____ The Commissioner is hereby authorized to charge the following fees, or credit any overpayment, to Deposit Account No. 03-3125.

_____ RCE fee required under 37 C.F.R. § 1.17(e).

_____ Extension of time fee (37 C.F.R. §§ 1.136 and 1.17).

_____ Other fees _____.

7. X Three copies of this sheet are enclosed.

Respectfully submitted,



I hereby certify that this correspondence is being deposited this date with the U.S. Postal Service with sufficient postage as first class mail in an envelope addressed to: Mail Stop RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

 8/22/03
Peter J. Phillips Date
Reg. No. 29,691

John P. White
Registration No. 28,678
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(212) 278-0400



Docket No. 0575/61545/JPW/PJP/PL

In re application of: Reba Goodman, et al.

Serial No.: 09/769,902

Examiner: S. Pappu

Filed: January 25, 2001

Group Art Unit: 1636

For: A METHOD FOR REGULATING GENES WITH ELECTROMAGNETIC RESPONSE ELEMENTS

Mail Stop RCE
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

S I R:

August 22, 2003

Transmitted herewith is an amendment to the above-identified application.

X Small entity status of this application under 37 C.F.R. § 1.9 and § 1.27 has been established by a verified statement previously submitted.

_____ a verified statement to establish small entity status under 37 C.F.R. § 1.9 and § 1.27 is enclosed.

_____ No additional fee is required.

The filing fee is calculated as follows:

	NUMBER AFTER AMEND- MENT		HIGHEST NUMBER PREVIOUSLY PAID FOR		NUMBER OF EXTRA CLAIMS PRESENTED		RATE		FEE	
							SMALL ENTITY	OTHER ENTITY	SMALL ENTITY	OTHER ENTITY
Total Claims	30	-	* 20	=	*** 10	x	\$9.00	\$18.00	=	\$90.00
Indepen- dent Claims	4	-	** 3	=	*** 1	x	\$42.00	\$84.00	=	\$42.00
Multiple Dependent Claims(s) Presented _____ Yes <u>X</u> No For First Time:							\$140.00	\$280.00		0
							TOTAL ADDITIONAL FEE \$ 132.00			

*If the "HIGHEST NUMBER PREVIOUSLY PAID FOR" is less than 20, write "20" in this space.

**If the "HIGHEST NUMBER PREVIOUSLY PAID FOR" is less than 3, write "3" in this space.

***If the difference between the "NUMBER AFTER AMENDMENT" and the "HIGHEST NUMBER PREVIOUSLY PAID FOR" is less than "0", write "0" in the space.

Applicants: Reba Goodman, et al.
U.S. Serial No.: 09/769,902
Filed: January 25, 2001

Amendment Transmittal Letter
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The "HIGHEST NUMBER PREVIOUSLY PAID FOR" (Total or Independent) is the highest of the "NUMBER AFTER AMENDMENT" in any prior amendment or the number of claims as originally filed.

_____ Please charge Deposit Account No. _____
in the amount of \$ _____.

X A check in the amount of \$ 972.00 is enclosed.
(\$375.00 for filing RCE, \$465.00 for Petition For A Three Month Extension of Time and \$132.00 for additional claims.)

X The Commissioner is hereby authorized to charge payment of the following fees associated with this communication or credit any overpayment to Deposit Account No. 03-3125. Three copies of this sheet are enclosed.

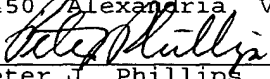
X Any filing fees under 37 C.F.R. \$1.16 for the presentation of extra claims.

X Any patent application processing fees under 37 C.F.R. \$1.17.

Respectfully submitted,



I hereby certify that this correspondence is being deposited this date with the U.S. Postal Service with sufficient postage as first class mail in an envelope addressed to: Mail Stop RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450

 8/22/03
Peter J. Phillips Date
Reg. No. 29,691

John P. White
Registration No. 28,678
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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Reba Goodman, et al
U.S. Serial No.: 09/769,902 Examiner: S. Pappu
Filed: January 25, 2001 Group Art Unit: 1636
For: A METHOD FOR REGULATING GENES WITH
ELECTROMAGNETIC RESPONSE ELEMENTS

1185 Ave of the Americas
New York, New York 10036
August 22, 2003

Mail Stop RCE
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

**AMENDMENT AND A PETITION FOR A THREE-MONTH EXTENSION OF TIME,
FILED WITH A CORRESPONDING REQUEST FOR CONTINUED
EXAMINATION UNDER 37 C.F.R. §1.114**

a) Introductory Comments:

Applicants hereby submit an Amendment and Petition For a Three-Month Extension Of Time filed with a corresponding Request For Continued Examination ("RCE") in connection with the above-identified patent application.

If prosecution of an application is closed, pursuant to 37 C.F.R. §1.114(a)(2), prior to abandonment of the application, an applicant may file a Request for Continued Examination of the application including the fee set forth in 37 C.F.R. § 1.17(e) so as to file a submission such as an Amendment. The fee set forth under 37 C.F.R. §1.17(e) for a small entity is \$375.00 and a check including this amount is enclosed.

A Final Office Action was issued February 24, 2003 in connection with the above-identified application. A response to the February 24, 2003 Final Office Action was filed May 24, 2003.

08/26/2003 WBERME 00000113 09769902

02 FCR2253
03 FCR2202
04 FCR2201

455.00 DP
30.00 DP
42.00 DP

Applicants: Reba Goodman, et al
U.S. Serial No.: 09/769,902
Filed: January 25, 2001
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An Advisory Action was issued June 16, 2003 by the U.S. Patent and Trademark Office in connection with the above-identified application which stated that the response time for responding to the Final Office Action continued to run. The three-month deadline for a response was May 24, 2003. Applicants hereby petition for a three-month extension of time from May 24, 2003 to August 24, 2003, to respond to the Final Office Action. The fee for a three-month extension of time for a small entity is \$465.00 and a check including this amount is enclosed. With the three-month extension of time, the due date is August 24, 2003. Accordingly, the Request for Continued Examination and this Amendment are being timely filed.